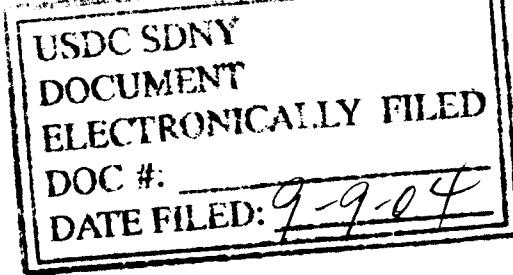


MARRELL,
10/10/04

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KIMBERLEY MCGRAW EUSTON, :
Plaintiff, : Civil Action No.: 04-CV 02923 (VM)
v. :
BANK OF AMERICA, N.A., :
Defendant. :

x

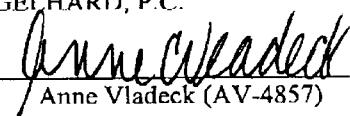
STIPULATION OF
DISCONTINUANCE WITH
PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel for the parties herein that the above-captioned matter be and hereby is dismissed with
prejudice and without attorney's fees or costs to either party.

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SO ORDERED:


U.S.D.J.
Victor Marrero

Dated: 9 September 2004

